

Application No.: 09/849,460

Docket No.: JCLA6212

REMARKS**Present Status of Application**

Claims 1-8 and 10 remain pending in the application. The Office Action mailed October 16, 2003, further pointed out that claim 8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-7 and 10 were rejected under 35 USC§103 (a) as being unpatentable over Akram (US Patent No. 6,451,658) in view of Tanabe et al. (US Patent No. 6,323,115) and Kwon et al. (US Patent No. 6,004,876).

Claim 1 has been amended to include the limitations of claim 8, while claim 8 has been cancelled. No new matter has been added to the application by the amendments made to the specification, claims and drawings. This Amendment is promptly filed to place the above-captioned case in condition for allowance. After entering the amendments, a notice of allowance is respectfully solicited.

Discussion for 35 USC§103 rejections

Claims 1-7 and 10 were rejected under 35 USC§103 (a) as being unpatentable over Akram (US Patent No. 6,451,658) in view of Tanabe et al. (US Patent No. 6,323,115) and Kwon et al. (US Patent No. 6,004,876)

Applicants would like to thank the examiner for pointing out claim 8 should be allowable, if rewritten in independent form including all of the limitations of the base claim. Applicant has amended claim 1 as suggested by the Office Action and cancelled claim 8 without prejudice. As

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amended, this claim recites "the substrate includes a dielectric layer and an opening defined at the dielectric layer" and clearly distinguishes the present invention over the cited references, and therefore overcome the rejections under 35 U.S.C. §103. Dependent claims 2-7 and 10 are submitted to be patentably distinguishable over the cited references for at least the same reasons as independent claim 1, from which these claims respectively depend, as well as for the additional features that these claims recite.

In view of the above amendment and discussions, reconsideration and withdrawal of the §103 rejections is respectfully requested.

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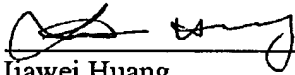
CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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